

# Committee on Resources

## Full Committee

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**STATEMENT BY  
THE AMERICAN FARM BUREAU FEDERATION  
TO THE  
THE HOUSE RESOURCES COMMITTEE  
REGARDING  
THE CONSERVATION AND REINVESTMENT ACT OF 1999  
Presented by  
Kevin Paap  
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March 10, 1999**

Good afternoon. My name is Kevin Paap. I am a dairy farmer from Garden City, Minnesota, and serve as Vice President of the Minnesota Farm Bureau Federation. Minnesota is a coastal state identified in H.R. 701. I am appearing today on behalf of the American Farm Bureau Federation.

We appreciate the opportunity to appear before the committee today to testify on H.R. 701, the Conservation and Reinvestment Act of 1999. The bill provides a dedicated source of funding from revenues derived from Outer Continental Shelf (OCS) leases for a variety of programs such as OCS impact assistance, land acquisition, payment in lieu of taxes, urban parks and recreational development, and wildlife enhancement. We will direct our comments to those programs that involve land acquisition and wildlife habitat enhancement.

One section of the bill provides a dedicated source of funding to the Land and Water Conservation Fund, which has been used primarily for the purchase of land by state and federal government agencies. This Fund has a federal component, which provides money directly to federal agencies, and also has a state component, which provides matching funds for use by state agencies.

If funding is to be provided for federal and state lands, we strongly urge that any such funds be first earmarked for repair and maintenance of existing lands before being authorized to purchase additional land. The federal land management agencies have a significant backlog of repairs and maintenance to their lands that totals billions of dollars. The U.S. Forest Service recently issued a moratorium on further road building in the National Forests because it could not keep up with maintenance of existing roads, which has an estimated \$8 billion backlog.

We should first use any funds to take care of the lands that we have. If our national parks are considered "American jewels," America would be better served to have fewer jewels that are high quality and polished, rather than more lower quality, unpolished and imperfect ones.

Because farmers and ranchers own much of the remaining privately-owned open space in the country, they are natural targets for having their land appropriated by governmental entities for various purposes. In addition, condemnation of private lands by governmental entities results in the removal of those lands from the tax rolls, thereby increasing the tax burden for the remaining private landowners in the area. Farmers and

ranchers have experienced numerous problems with different levels of government condemning their property for whatever purpose. We are naturally skeptical, therefore, about any bill or action that involves or authorizes the acquisition of land by government. We carefully review such proposals to ensure that there are adequate safeguards for private landowners.

We are pleased that H.R. 701 contains such safeguards with respect to the federal component of the Land and Water Conservation Fund amendments (LWCA). By limiting federal purchases only to existing inholdings and to willing sellers, the bill prevents the runaway and uncontrolled acquisition of federal lands that many people fear. Other bills such as H.R. 798 do not contain these safeguards. Unlike similar provisions in H.R. 798 and other bills, we feel that the conditions placed on the expenditure of federal LWCA funds in H.R. 701 adequately protect private property interests.

The state component of the bill contains no such safeguards. We urge that the bill be amended to incorporate the same conditions on the use of federal matching funds for state purchases as exist for federal acquisitions.

Also unlike H.R. 798 and similar bills, H.R. 701 provides that for any money collected above the maximum authorized for the LWCA, the excess shall be applied to the Payment In Lieu of Taxes program. This Farm Bureau supported program, which seeks to make up for lost local tax base resulting from the presence of federal lands by making payments for use in local areas, has been traditionally underfunded. We support the effort of H.R. 701 to give this program a needed shot in the arm.

No less significant are the provisions that seek to further the partnership between private landowners and the government to enhance wildlife and its habitat. Privately owned farm and ranch lands provide a significant amount of the food and habitat for our nation's wildlife. For example, over 90 percent of plants and animals listed under the Endangered Species Act (ESA) have some of their habitat on nonfederal lands, with 78 percent occupying privately owned lands. Approximately 34 percent of all listed species occur entirely on nonfederal lands. The agencies must have the cooperation of farmers, ranchers and private property owners if the ESA is going to work. Private landowners are clearly the key to the Act's success.

The American Farm Bureau Federation believes that an appropriate balance between the needs of a species and the needs of people can be struck. We agree with the basic goals of wildlife enhancement. No one wants to see species become extinct, yet at the same time no one wants to see people lose the capacity to produce food or to be without essential human services. Given the proper assurances, farmers and ranchers can play a significant role in management of species on their property.

We are therefore very pleased that both H.R. 701 and H.R. 798 contain programs that acknowledge and seek to implement this partnership. Both of these programs contain positive elements. Both programs provide for agreements between agency and landowner to benefit species on their property. H.R. 798 provides a definite source of funding for its program, whereas H.R. 701 does not.

H.R. 701 would create the Habitat Reserve Program (HRP). The HRP is the type of program that provides those assurances and achieves that balance between species and landowner that is necessary for the well-being of both. Farm Bureau is committed to making this type of program work.

Under this section, farmers and ranchers would enter into contracts for the protection of habitat for listed species. The private landowner would be paid for managing and protecting species habitat, similar to the way that the Conservation Reserve Program works. This program effectively recognizes the public benefit

that private landowners provide for listed species, and responds in an appropriate manner. It encourages landowners to voluntarily provide needed management for species and habitat while at the same time allowing the landowner to productively use the land through payments received through the program.

This program will enhance the conservation of species because it provides for their active on-the-ground management by affected landowners instead of the current passive government management practices of easements and land use restrictions. At the same time, it provides landowners with flexibility to manage their property. The HRP thus provides benefits for both the species and the landowner--the type of "win-win" scenario that is needed.

In conclusion, we believe that H.R. 701 provides more overall balance than H.R. 798 and similar bills thus far introduced. We also believe that it offers the best chance of achieving any sort of consensus on the issues contained therein, so long as appropriate amendments as suggested in our testimony are incorporated.

We look forward to working with the Committee on the issues we have addressed in our testimony today.

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